

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. CR 03-60023-AA

TRINITY JO GUAYANTE,

Defendant.

**ORDER REVOKING SUPERVISED RELEASE AND IMPOSING
SENTENCE**

On May 28, 2003, the defendant appeared before this court, for sentencing following her plea of guilty to Escape from Custody. She was sentenced to twenty-seven (27) months custody followed by a three (3) year term of supervised release, upon the standard and special conditions. The term of supervised release commenced on November 18, 2004. On October 25, 2004, the court modified conditions to include a community corrections center placement for up to 120 days for transitional purposes.

On September 21, 2005, this court issued a petition for warrant and order to show cause why the term of supervised release order previously granted should not be revoked based on the probation officer's allegation that defendant violated the conditions of release.

On October 12, 2005, the defendant appeared with counsel at a hearing to determine whether defendant's supervised release should not be revoked. The defendant admitted she had

violated the conditions of supervised release by failing to submit a truthful and complete written report within the first five days of each month, failing to notify the probation officer within 72 hours of any change in residence or employment and failing to participate in a mental health treatment program approved by the probation officer.


THE COURT FINDS that the defendant has violated conditions of her supervised release as set forth above, said violation constitutes a Grade C violation pursuant to Guideline § 7B1.1(a)(3). A Grade C violation coupled with the defendant's Criminal History Category of VI, produces a suggested imprisonment range of 8 to 14 months (§ 7B1.4 Revocation Table).

IT APPEARS TO THE COURT that the defendant is no longer amenable to supervision.

IT IS ORDERED AND ADJUDGED that the term of supervised release is revoked and the defendant is committed to the custody of the Bureau of Prisons for a term of four (4) months with recommendations for any and all programs available to the defendant including, education/job skills, parenting, drug and alcohol treatment. A term of supervised release is reimposed for a period of twenty-eight (28) months, with the following special conditions:

1. The defendant shall participate in mental health treatment program approved by the probation officer.
2. The defendant shall take psychotropic medication, if medically approved for the treatment of a mental or emotional disorder as directed by a probation officer.
3. The defendant shall reside in and satisfactorily participate in a community corrections center to include a prerelease component, if determined appropriate by the Community Corrections Manager and the probation officer for up to 120 days or until discharged by the Community Corrections Manager and the probation officer.
4. The defendant shall reside in and participate in an inpatient substance abuse treatment program, as directed by the probation officer.
5. The defendant shall participate in a substance abuse treatment program approved by the probation office, which may include testing to determine if the defendant has used drugs or alcohol. In addition, the defendant shall submit not more than (8) drug tests each month unless otherwise ordered by the court.

Dated this 12 day of October, 2005.



ANN AIKEN
United States District Judge

cc: Probation Office
Counsel of Record